



PRESS RELEASE

FOR IMMEDIATE RELEASE
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“OPERATION BOOTLEG” CONTINUES ON NAVAJO RESERVATION-- 24 of 27 CHARGED HAVE BEEN ARRESTED

WINDOW ROCK, ARIZONA -- The United States Attorney's Office for the District of Arizona announces today that “Operation Bootleg” continues on the Navajo reservation. On August 28, 2003, 24 of the 27 individuals charged had been arrested for selling various types and quantities of alcohol and drugs on the Navajo Reservation. The arrests are the result of a two month undercover operation conducted jointly by the Federal Bureau of Investigation and the Navajo Department of Law Enforcement.

The federal criminal complaints charge each defendant with violating Title 18 of the United States Code, Section 1154(a), the unlawful dispensing of intoxicating liquor, or Title 21 of the United States Code, Section 844(a), possession of Marijuana. A conviction for violating Title 18 U.S.C. Section 1154(a) or Title 21 U.S.C. Section 844(a) carries a maximum penalty of one year in jail and a \$100,000 fine or both.

The following defendants were arrested under Section 1154(a):

CYNTHIA NEZ, DOB 6/2/76
LOUISE BENALLY, DOB 5/10/60
RAY YAZZIE, DOB 2/27/60
NADINE JUNE, DOB 4/23/51
PAULINE HURLEY, DOB 4/28/52

Tuba City
Tuba City
Tuba City
Tuba City
Tuba City

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ERNEST YAZZIE, DOB 1/11/71	Tuba City
JOE RAY, JR., DOB 9/6/62	Tuba City
 SYLVIA SMITH, DOB 4/6/58	 Kayenta
FRANK BOONE, DOB 4/2/68	Kayenta
LEO SAGONEY, DOB 5/19/62	Kayenta
 LUCINDA SPENCER, DOB 9/29/73	 Window Rock
JOYCE MARTINEZ, DOB 9/24/50	Window Rock
RUBY M. BEGAY, DOB 2/19/40	Window Rock
CHARLES E. ETSITTY, DOB 12/14/82	Window Rock
LEONA ROSE LEE, DOB 9/27/69	Window Rock
ALFRED BENNIE LEE, DOB 2/21/42	Window Rock
CHRISTOPHER HAUDLEY, DOB 11/16/82	Window Rock
MARY L. FOSTER TOM, DOB 11/1/60	Window Rock

The following defendants were arrested for selling alcohol in violation of their probation:

KEVIN LESLIE, DOB 4/20/64	Tuba City
JOHN NEZ, JR., DOB 6/3/62	Tuba City
STEWART NEZ, DOB 6/30/64	Tuba City

The following defendants were arrested under Section 844(a), distribution of marijuana:

ELVIN LUNA, DOB 7/30/70	Kayenta
DANETTE YAZZIE, DOB 1/2/76	Kayenta

On August 29, 2003, Paul K. Charlton, the United States Attorney for the District of Arizona, held a press conference in Window Rock to announce the charges and the arrests of above individuals. Mr. Charlton stated at the press conference that there is a direct correlation between alcohol and violent crime. If we can attack the alcohol problem then we can reduce the amount of violent crime on the reservation. When two other bootlegging operations were previously undertaken there was a dramatic reduction in crime shortly thereafter.

Mr. Charlton mentioned three case examples where alcohol had contributed to violent conduct. Mr. Nakai, a 25 year old Navajo male, was sentenced on 8/25/2003 to seven consecutive life sentences in

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an alcohol driven car jacking and double murder. Mr. Nakai admitted at his sentencing that his alcohol abuse contributed to the crimes he committed. Mr. Charlton noted that at Mr. Nakai's sentencing District Court Judge Frederick Martone stated, "We are getting more than our fair share of violence on state reservations." Judge Martone also added that the drug and alcohol problems on reservations "are pernicious and almost unique in my experience."

On October 10, 2002, a fatal motor vehicle accident occurred in Red Mesa, Arizona. A retired dentist from California and his companion were driving east on a two lane highway, near the Four Corners Area, when the defendant, Larry Wilson, a Navajo male, drove 95MPH and collided with their vehicle. The vehicle driven by the dentist caught fire and burned the victims and their dogs beyond recognition. The defendant survived the crash and was taken to Northern Navajo Medical Center where his blood alcohol content was found to be .392. The defendant was sentenced to 130 months for one count of second degree murder on 8/27/2003.

On February 22, 2001, two Navajo females, Anita McClellan and Violet Curley kicked and beat Rosabelle Whitehat, a Navajo female, to death. Both defendants were known bootleggers and were bootlegging in Tuba City when they confronted the victim. After the crime was committed, the defendants celebrated by buying and drinking a 30 pack of beer. Anita McClellan received 200 months and Violent Curley received 151 months incarceration when they were sentenced.

Studies by the United States Attorney's Office have shown that the majority of violent crimes investigated by the FBI within the Navajo Nation in Arizona, New Mexico and Utah involve assailants who are under the influence of alcohol. Paul Charlton stated, "'Operation Bootleg' is intended to put those individuals who engage in the unlawful sale of alcohol on the Navajo Nation on notice that the FBI and the Navajo Department of Law Enforcement intend to aggressively pursue prosecution of bootleggers in Federal Court." The President of the Navajo Nation, Joe Shirley, stated the following at the press conference, "this

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bootlegging operation was timed to make sure the Navajo Fair, a celebration which showcases the strengths of the Navajo People is safe. I believe targeting bootleggers will reduce the cycle of violence bootlegging brings to the Navajo Nation from domestic violence to sexual abuse to murder. Targeting bootlegging activity will immediately decrease violent crime on the Navajo Nation. Working together with the state, county, and federal government, we will be successful targeting bootleggers and those in the surrounding communities who sell alcohol to those who unlawfully bring alcohol on Navajo Land." The above prosecutions are being handled by Joe Lodge, Assistant United States Attorney, District of Arizona, Flagstaff, Arizona.

CASE NUMBERS: 03-4159-M to 03-4175-M; 03-4183-M to 03-4192-M

RELEASE NUMBER: 2003-154

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